

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JULY 3, 1979

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Tuesday, July 3, 1979 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes (arrived 8:10 p.m.), Katnich, McCarty, Pinkerton and Katzakian (Mayor)

Absent: Councilmen - None

Also Present: City Manager Glaves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Mullen, and City Clerk Reimche.

INVOCATION

The invocation was given by Reverend Eric Coulon, First Baptist Church.

PLEDGE

Mayor Katzakian led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Pinkerton, Katnich second, the Minutes of June 6, 1979 were approved as written and mailed.

PUBLIC HEARINGS

AMEND CITY CODE
TO INCREASE THE
ALLOWABLE LOT
COVERAGE FROM
40% TO 45%

ORD. NO. 1173
INTRO.

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katzakian called for the Public Hearing to consider the City Planning Commission's recommendation for approval of certifying the filing of a Negative Declaration by the Community Development Director on the request of Richard A. Entzi to amend the Lodi City Zoning Ordinance (i.e., Section 27, Lodi Municipal Code) to increase the allowable lot coverage from 40% to 45% in R-1 and R-2, Single-Family Residential Districts; and

to consider the City Planning Commission's recommendation for approval of the request of Richard A. Entzi to amend the Lodi Zoning Ordinance (i.e., Section 27, Lodi Municipal Code) to increase the allowable lot coverage from 40% to 45% in the R-1 and R-2, Single-Family Residential Districts.

INCREASE
ALLOWABLE
LOT COVER-
AGE (Cont'd)

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area.

Speaking on behalf of the matter was:

Mr. Ben Schafer, 600 Connie Street, Lodi

Addressing the Council regarding allowable side yard footages was Mr. Paul C. Lawrie, 2337 Tejon Street, Lodi, California.

There being no further persons wishing to speak on the matter, the public portion of the hearing was closed.

Council discussion followed with questions being directed to Staff.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council approved the certifying of the filing of a Negative Declaration by the Community Development Director on the request of Richard A. Entzi to amend the Lodi City Zoning Ordinance (i.e., Section 27, Lodi Municipal Code) to increase the allowable lot coverage from 40% to 45% in R-1 and R-2, Single-Family Residential District.

Mayor Pro Tempore Katnich then moved introduction of Ordinance No. 1173 amending the Lodi Zoning Ordinance (i.e., Section 27.5 - 4-(b) 4, Lodi Municipal Code) to increase the allowable lot coverage from 40% to 45% in the R-1 and R-2, Single-Family Residential Districts. The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

ORDER TO
ABANDON
PORTION OF
UTILITY
EASEMENT
LOCATED AT
524 RUTLEDGE

Notice thereof having been published and posted in accordance with law and affidavit of publication and posting being on file in the office of the City Clerk, Mayor Katzakian called for the public hearing regarding the proposed vacation of a portion of a public utility easement located at 524 Rutledge Drive, Lodi.

The matter was introduced by Community Development Director Schroeder who presented a diagram of the subject area and reported that the Planning Commission at its meeting of June 25, 1979 had determined that no public need existed and recommended the abandonment of 6 feet of a 10 foot public utility easement along the rear property line of a residential parcel at 524 Rutledge Drive.

There were no persons in the audience wishing to speak on the matter and the public portion of the hearing was closed.

On motion of Councilman Pinkerton, Katnich second, Council adopted an Order to abandon 6 feet of a 10 foot public utility easement situated along the rear property line of a residential parcel at 524 Rutledge Drive.

UNDERGROUND
UTILITY DISTRICT
NO. 5 ESTAB-
LISHED

RES. NO. 79-89

Notice thereof having been published in accordance with law and affidavit of publication and mailing being on file in the office of the City Clerk, Mayor Katzakian called for the public hearing to determine whether public necessity, health, safety or welfare required the formation of Underground Utility District 5, including the area bounded by Elm Street on the south, Locust Street on the north, Church Street on the west, and Sacramento Street on the east.

The matter was introduced by City Manager Graves who described the district and responded to questions as were posed by the Council.

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council adopted Resolution No. 79-89 - Establishing Underground Utility District No. 5.

PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of June 25, 1979:

The Planning Commission -

REQUEST TO
AMEND P-D(4)
IN WINCHESTER
ACRES

Approved the request of R. W. Siegfried and Associates on behalf of Willard C. Collins, D.D.S. to certify the Final Environmental Impact Report for Winchester Acres, 10.11 acre, 11 lot, commercial-multiple family project at the northwest corner of South Hutchins Street and West Harney Lane in an area zoned P-D(4), Planned Development District No. 4.

On motion of Mayor Pro Tempore Katnich, Hughes second, the matter was set for Public Hearing August 1, 1979.

The Planning Commission also -

Recommended approval of the request of R. W. Siegfried and Associates on behalf of Willard C. Collins, D.D.S. to amend P-D(4), Planned Development District No. 4 to provide for 8 acres of multiple-family development and 2 acres of commercial use in an area encompassed by Winchester Acres Subdivision, at the northwest corner of South Hutchins Street and West Harney Lane with the following conditions:

- a. that the multiple family area be limited to a maximum of 20 units per acre and conform with the requirements of the R-GA, Garden Apartment Residential District, and
- b. that the commercial area conform to the requirements of the C-S, Commercial Shopping District.

On motion of Mayor Pro Tempore Katnich, Hughes second, the matter was set for Public Hearing Wednesday, August 1, 1979.

REQUEST TO
DOWN ZONE
AREA BOUNDED
BY LOUIE,
CHURCH,
PLEASANT, OLIVE
& CALIF. FROM
R-MD TO R-GA

2-35

The Planning Commission also -

Certified the filing of a Negative Declaration by the Community Development Director on the request of Mr. Lawrence Wilson on behalf of various City of Lodi property owners/petitioners to down zone the area bounded by Louie Avenue on the north, a north-south alley between Church and Pleasant Streets on the east, Olive Court on the south, and California Street on the west, from R-MD, Medium Density Multiple Family Residential to R-GA, Garden Apartment Residential.

On motion of Councilman Pinkerton, Katnich second, the matter was set for Public Hearing August 1, 1979.

The Planning Commission also -

Recommended approval of the request of Mr. Lawrence Wilson on behalf of various City of Lodi property owners/petitioners to down zone the area bounded by Louie Avenue on the north, a north-south alley between Church and Pleasant Streets on the east, Olive Court on the south and California Street on the west from R-MD, Medium Density-Multiple Family Residential to R-GA, Garden Apartment Residential.

On motion of Councilman Pinkerton, Katnich second, the Council set the matter for Public Hearing August 1, 1979.

The Planning Commission also -

EASEMENT
VACATION
524 RUTLEDGE

1. Determined that no public need existed and recommended the abandonment of 6 feet of a 10 foot public utility easement along the rear property line of a residential parcel at 524 Rutledge Drive.

2. Conditionally approved the request of R. W. Siegfried and Associates on behalf of Willard C. Collins, D.D.S. for the approval of the Tentative Subdivision Map of Winchester Acres, a 10.11 acre, 11 lot commercial - multiple family project at the northwest corner of South Hutchins Street and West Harney Lane in an area zoned P-D(4), Planned Development District No. 4.

ITEMS OF INTEREST

3. Approved the request of Mr. Terry Piazza, Consulting Engineer, on behalf of Genie Development Company to approve a Parcel Map for King's Table Restaurant in Beckman Center, No. 1 (i.e., Vineyard Shopping Center) on the south side of West Kettleman Lane east of South Fairmont Avenue in an area zoned P-D(15), Planned Development District No. 15.

4. Determined that a Zoning Hardship existed and approved the request of Mr. Gary A. Kroll to reduce the required driveway length from 20 feet to 18 feet to permit construction of a carport adjacent to a residence at 677 East Lockeford Street in an area zoned M-2, Heavy Industrial.

ITEMS OF
INTEREST
(Cont'd)

4235

5. Determined that a Zoning Hardship did not exist and denied the request of Mrs. Marilee Padula for a Variance to increase the maximum fence height from 3-1/2 feet to 6 feet in a street side yard area at 401 West Walnut Street in an area zoned R-HD, High Density Multiple Family Residential.

6. Conditionally approved the request of Mr. Ronald B. Thomas on behalf of Sanguinetti Park, a partnership, for a Use Permit for a 130 unit apartment project in Sanguinetti Park, Unit No. 3 in an area zoned P-D(17), Planned Development District No. 17.

7. Denied the request of Mr. Gene G. Walton, Attorney at Law, on behalf of Frank C. Alegre Trucking Co., Inc. to install a mobilehome as a residence for a security guard for a truck terminal located at 17690 North Cluff Road in an area zoned M-2, Heavy Industrial (the property was recently annexed).

COMMUNICATIONS

CLAIMS

424 (C)

City Clerk Reimche advised the City Council that it is the recommendation of R. L. Kautz and Company, the City's Contract Administrator and the City Attorney that the claim presented by Steven Diede (Loss Date 9/16/78) be rejected.

On motion of Councilman Pinkerton, Katnich second, Council rejected the claim presented by Steven Diede and referred it back to R. L. Kautz and Company, the City's Contract Administrator.

USE OF LODI
LAKE FOR
WATER SKI
LESSONS

425

The City Clerk apprised the City Council that a request had been received from Mr. Doug Flatter requesting the use of Lodi Lake Park for water ski lessons. Mr. Ed DeBenedetti, Director of Parks and Recreation was in the audience and addressed the Council concerning the proposal. Discussion followed with questions being directed to Mr. DeBenedetti, Mr. Mullen, the City Attorney and to Mr. Doug Flatter who was also in the audience.

On motion of Councilman Pinkerton, Hughes second, Council approved the request of Mr. Doug Flatter for the use of Lodi Lake Park for water ski lessons, subject to his obtaining the proper insurance coverage and with the City Attorney preparing the appropriate Agreement.

LAFCO OPPOSES
SB 1223 426

Council was informed that a copy of LAFCO's letter sent to Chairman Marks at the State Capitol has been received wherein his staunch opposition to SB 1223 is requested. This Bill proposes to prematurely eliminate the island annexation provisions of the Municipal Organization Act of 1977.

USE OF LODI
HIGH SCHOOL
POOL AUTHORI-
ZED FOR 427
SUMMER
RECREATION

City Clerk Reimche presented a petition which had been received bearing approximately 388 signatures urging the City Council to make the Lodi High School Pool available for summer recreation. Mr. Ed DeBenedetti gave background information on the subject and responded to questions as were directed by Council.

LODI HIGH
POOL (Cont'd)
cc 40

A lengthy discussion followed. On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council approved the reopening of the Lodi High-Swimming Pool for recreational swimming between the hours of 1:00 and 4:30 p.m., which is not to interfere with ongoing programs at that facility, at an estimated cost of \$3500.00. Council also asked that the Recreation Department keep a record of the number of swimming tickets that are sold for this season for the Lodi High School Pool.

LAFCO DIS-
APPROVES
FILLEY RANCH
REORGANIZATION
129 (C)

The City Clerk apprised the City Council that a certified copy of LAFCO Commission Resolution 430 has been received disapproving Filley Ranch Reorganization without prejudice and which waives the filing fee upon re-application when full City service can be anticipated.

PUC
APPLICATION
227 (C)

Council was informed that a Notice had been received announcing that Pacific Telephone and Telegraph Co. has filed an application with the Public Utilities Commission for authority to establish charges for Directory Assistance Service, calling for charges to be made for those calls in excess of 20 calls per line per month.

RESOLUTION RE
TAXPAYER
DEDUCTION FOR
CHARITABLE
CONTRIBUTIONS
217

The City Clerk presented a proposed resolution for Council consideration supporting pending national and state legislation to allow all taxpayers a deduction for charitable contributions whether they itemize or not and requesting the General Assembly of the League of California Cities at its 1979 Annual Conference and the National League of Cities at its 1979 Congress of Cities to endorse this legislation.

Mayor Katzakian requested that this matter be set as an Agenda Item for the regular Council meeting of July 18, 1979.

APPEAL OF
MARILEE
PADULA RE
MAXIMUM
FENCE HEIGHT
IN A STREET
SIDE YARD
AT 401 W.
WALNUT ST.
215 (C)

Following receipt of an appeal from Mrs. Marilee Padula, Council, on motion of Mayor Pro Tempore Katnich, Katzakian second, set a Public Hearing on July 18, 1979 at 8:00 p.m. to consider the appeal of Marilee Padula, 401 W. Walnut Street, Lodi, of the actions of the Planning Commission in denying her request for a variance to increase the maximum fence height from 3-1/2 feet to 6 feet in a street side yard area at that address in an area zoned R-HD, High Density Multiple Family Residential.

APPEAL OF
FRANK C. ALEGRE
TRUCKING CO.,
INC. RE INSTALLA-
TION OF MOBILE-
HOME AS RESI-
DENCE
215 (C)

Following presentation by the City Clerk of an appeal letter sent by Mr. Gene G. Walton on behalf of Frank C. Alegre Trucking Co., Inc., Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, set for Public Hearing on July 18, 1979 at 8:00 p.m. the appeal of Mr. Gene G. Walton, Attorney at Law on behalf of Mr. Frank C. Alegre Trucking Co., Inc. of the Planning Commission's denial of his request to install a mobilehome as a residence for a Security Guard for a truck terminal located at 17690 North Cluff Road in an area zoned M-2, Heavy Industrial.

UNAUTHORIZED
WATER CONNEC-
TION AT 1880 SO.
HUTCHINS ST.
CC 51 (H)

The City Clerk presented a letter which had been received from Attorney Gene G. Walton representing J. M. and Rose Ferguson, 1880 South Hutchins Street, Lodi, which letter concerns an unauthorized water connection at that address. The letter requests that the matter be set as an agenda item as soon as possible.

Following Council discussion and with the tacit concurrence of the City Council, Mayor Katzakian directed the City Clerk to place this matter on the agenda of the July 18, 1979 regular Council meeting.

MEMBERS OF
CITY STAFF
COMPLIMENTED

Mr. Ben Schaffer, 600 Connie Street, Lodi addressed the Council, complimenting various members of the City staff for their time and efforts in recent meetings held with the Ball Glass Company.

REPORTS OF THE
CITY MANAGER

CONSENT
CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Mayor Pro Tempore Katnich, Hughes second, were approved by the Council:

CLAIMS

CC 3 (H)

CLAIMS WERE APPROVED IN THE AMOUNT OF \$957,316.28.

MILLSWOOD UNIT
NO. 1 SUBDIVI-
SION DOCUMENTS
APPRVD.
1 46

Council was informed by the City Manager that Matthews Development Company, the developer of Millswood Unit No. 1 has furnished the City with the final map and the subdivision improvement plans, as well as the necessary agreements, surety bonds, and development fees for their proposed subdivision. This subdivision is located northwest of the Lodi Unified School District property on Mills Avenue and Rainier Drive and consists of 57 lots zoned R-2.

COUNCIL APPROVED THE FINAL MAP, IMPROVEMENT PLANS, AND THE IMPROVEMENT SECURITY FOR MILLSWOOD UNIT NO. 1 AND DIRECTED THE CITY MANAGER AND THE CITY CLERK TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

AGENDA ITEM
REMOVED FROM
THE AGENDA

AGENDA ITEM "c" - "APPROVE AGREEMENTS - MILLSWOOD UNIT #2" WAS REMOVED FROM THE AGENDA.

PLANS & SPECS
FOR LOUIE AVE.
& GRANT AVE.
WATERMAIN
APPROVED
228 (H)

PLANS AND SPECIFICATIONS FOR "LOUIE AVENUE WATERMAIN, ROPER AVENUE TO CALIFORNIA STREET AND GRANT AVENUE WATERMAIN, 140' S/FORREST AVENUE TO LOUIE AVENUE" WERE APPROVED BY THE CITY COUNCIL, AND THE CITY CLERK WAS DIRECTED TO ADVERTISE FOR BIDS THEREON.

SPECS FOR COM-
PACT AUTO FOR
PUBLIC WORKS
APPRVD.
228

COUNCIL APPROVED THE SPECIFICATIONS OF A COMPACT AUTOMOBILE FOR PUBLIC WORKS AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

Minutes of July 3, 1979, continued

SPECS FOR 15-KV
XLP CABLE
APPROVED
32 10

COUNCIL APPROVED THE SPECIFICATIONS FOR 60,000 FEET OF 15-kv XLP CONCENTRIC CABLE AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

SPECS FOR 600-
VOLT TRIPLEX
CABLE APPRVD.
32 20

COUNCIL APPROVED THE SPECIFICATIONS FOR 40,000 FEET OF 600-VOLT XLP TRIPLEX CABLE AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

SPECS FOR 44
12-kv PAD-
MOUNTED
TRANSFORMERS
APPRVD.
32 30

COUNCIL APPROVED THE SPECIFICATIONS FOR THE PURCHASE OF FORTY-FOUR 12-kv PAD-MOUNTED DISTRIBUTION TRANSFORMERS AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

DESTRUCTION OF
CERTAIN ADMIN-
ISTRATION DEPT.
RECORDS
APPRVD.

Council was advised that pursuant to the Government Code, the City Attorney had given his written consent to the destruction of certain Administration Office records, an inventory of which was presented for Council's perusal. Council adopted the following Resolution:

RES. NO. 79-90
32 6

RESOLUTION NO. 79-90

RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN ADMINISTRATION DEPARTMENT RECORDS.

ELIMINATION
OF PARKING ON
TURNER ROAD

Council was advised that curb and gutter has recently been installed on the south side of Turner Road between Church and Sacramento Street by the developer of Sanguinetti Park. This construction has provided for two lanes of eastbound traffic in this area instead of one lane. To safely divert this traffic to the south of the existing median island through the underpass, it will be necessary to eliminate on-street parking as depicted on a diagram presented for Council's perusal.

RES. NO. 79-91
32 72 (E)

RESOLUTION NO. 79-91

RESOLUTION ELIMINATING PARKING ON THE SOUTH SIDE OF TURNER ROAD FROM THE CENTERLINE OF SACRAMENTO STREET TO 195 FEET WEST OF SAID CENTERLINE.

ABANDONMENT
OF TAXI STAND-
LOCUST STREET
32 82 (E)

Council was informed that the City has received a letter from the City Cab Company requesting the abandonment of a Taxi Stand in the 100 block of East Locust Street, which request was sent pursuant to Section 24-19 of the Lodi City Code.

The taxi stand in question is located at the site of the old bus depot which burned and the area is now being developed for other uses and there is no longer a need for the stand in the area.

Pursuant to the City Code, the City Clerk has set the matter for public hearing on August 1, 1979 at 8:00 p.m.

Minutes of July 3, 1979, continued

ACCEPTANCE OF
"FIRST ST.
IMPROVEMENTS,
CALIF. ST. TO
LINCOLN AVE."

CC 14 (82)

Council was informed that the contract for "First Street Improvements, California Street to Lincoln Avenue" which was awarded to H. Max Lee of Lodi on May 16, 1979 in the amount of \$6,994.00 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "FIRST STREET IMPROVEMENTS, CALIFORNIA STREET TO LINCOLN AVENUE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

AWARD-CURB &
GUTTER
REPLACEMENT

City Manager Graves presented the following bids which had been received for the contract for Curb and Gutter Replacement:

RES. NO. 79-92

CC 17 (82)

BIDDERAMOUNT

Teichert Construction	\$34,643.00
Can-Do Concrete	\$38,960.50
H. Max Lee, Inc.	\$40,405.20
Chas. I. Cunningham	\$41,043.50
Argosy Construction	\$56,409.95

Following recommendation of the City Manager, Council adopted the following Resolution:

RESOLUTION NO. 79-92

RESOLUTION AWARDING THE BID FOR "CURB AND GUTTER REPLACEMENT, CENTRAL AVENUE - WALNUT STREET TO OAK STREET (WEST SIDE), OAK STREET - STOCKTON STREET TO WASHINGTON STREET, WASHINGTON STREET - OAK STREET TO ALLEY N/OAK (WEST SIDE) TO TEICHERT CONSTRUCTION, THE LOW BIDDER, IN THE AMOUNT OF \$34,643.00.

ACCEPTANCE
OF R/W DEDICA-
TION FROM
LODI UNIFIED
SCHOOL DISTRICT
OF PARCELS ADJA-
CENT TO LAW-
RENCE SCHOOL

A copy of the deed from the Lodi Unified School District indicating the necessary property adjacent to the Lawrence School for the construction of street improvements that will be done in conjunction with the subdivision improvements of Colony Ranch was presented for Council's perusal. This dedication is being made in conformance with the conditions under Lodi Unified School District Board of Trustees Resolution No. 79-20 as follows:

RES. NO. 79-93

CC 43

1. That the City construct the street improvements adjacent to the existing curb and gutter on Donner Drive and Calaveras Street;

2. That the School District reimburse the City for the cost of this construction;

3. That the reimbursement take place at such time as the School District sells its property adjacent to the improvements or at such time as the School District constructs a permanent school building on the Lawrence School site;

LUSD
DEDICATION
(Cont'd)

2183

4. If reimbursement is made in ten years, there will be no interest paid to the City by the School District. Interest will be paid after the tenth year;

5. At such time as additional permanent school buildings are constructed at the Lawrence School, any remaining required street improvements on Stockton Street and the sidewalk on Donner Drive will be constructed by the School District.

The following resolution was adopted by the City Council on this matter:

RESOLUTION NO. 79-93

RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE RIGHT-OF-WAY DEDICATION BY THE LODI UNIFIED SCHOOL DISTRICT OF PARCELS ADJACENT TO THE LAWRENCE SCHOOL.

APPROVE
AGREEMENT
BETWEEN CITY
& STATE FOR
FEDERAL AID
URBAN TRAFFIC
SIGNAL MODERN-
IZATION
PROGRAM

RES. NO. 79-94

7 (F)

A proposed Agreement between the State of California and the City of Lodi for signal modification and modernization at 14 intersections in Lodi was presented for Council's approval. This project will be funded 100% with FAU funds and those projects selected for signal modification were detailed in a report presented to Council by Staff.

RESOLUTION NO. 79-94

RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF LODI AND STATE OF CALIFORNIA FOR FEDERAL AID URBAN TRAFFIC SIGNAL MODERNIZATION PROGRAM AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

RES. AUTHOR-
IZING GENERAL
MILLS TO CON-
STRUCT ONE
ADDITIONAL
RAILROAD
INDUSTRIAL
SPUR-LINE
TRACK ACROSS
TURNER RD.

RES. NO. 79-95

2277 (H)

City Manager Graves presented a request which had been received from General Mills asking the Council to approve the construction of an additional industrial spur-line for General Mills in order for them to serve their proposed warehouse expansion. An exhibit which indicated where the proposed additional spur-line would be located was presented for Council's perusal.

Council was informed that upon receiving Council approval, the Public Works Department will issue an encroachment permit covering the spur-line crossing of Turner Road and the conditions that will be applied thereto. These conditions would include, but not be limited to, reconstruction of curb, gutter, sidewalk and streets in order to provide for level and smooth crossing of Turner Road, providing the engineering plans covering these required improvements and a restriction covering the amount of Turner Road that can be closed down at one time.

Council adopted the following Resolution regarding the matter:

RES. NO. 79-95
GENERAL MILLS
TRACK (Cont'd)
0137 (F)

RESOLUTION NO. 79-95

RESOLUTION APPROVING THE CONSTRUCTION OF ONE ADDITIONAL INDUSTRIAL SPUR-LINE FOR GENERAL MILLS IN ORDER FOR THEM TO SERVE THEIR PROPOSED WAREHOUSE EXPANSION.

DESIGN AUTHORIZATION FOR THE NORTHEAST AREA SANITARY SEWER LIFT STATION
APPROVED
00 51(A)

A proposal which had been received from Kenneth H. Glantz, Consulting Engineers for the design of the Northeast Area Sanitary Sewer Lift Station was presented for Council's perusal. The estimated maximum fee for this work would be \$15,000.

Council was apprised that the Public Works Department has reviewed the proposal and recommends that the Council authorize the Public Works Department to proceed with the engineering for the sanitary sewer lift station as outlined under Resolution No. 79-83, which sets up the conditions under which this lift station will be constructed.

COUNCIL AUTHORIZED THE PUBLIC WORKS DIRECTOR TO RETAIN KENNETH H. GLANTZ, CONSULTING ENGINEERS FROM STOCKTON, TO DESIGN THE SANITARY SEWER LIFT STATION TO SERVE THE NORTHEAST AREA OF LODI.

PLANS & SPECS FOR SCARBOROUGH DRIVE AND WIMBLEDON DRIVE IMPROVEMENTS
APPROVED
11 19 (F)

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "SCARBOROUGH DRIVE, WIMBLEDON DRIVE TO CENTURY BOULEVARD AND WIMBLEDON DRIVE, SCARBOROUGH DRIVE TO HUTCHINS STREET PAVING IMPROVEMENTS" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

SPECIAL INITIATIVE ELECTION 6/26/79 RESULTS

RES. NO. 79-97
00 13

The City Clerk certified that she had canvassed the returns of the Special Initiative Election held June 26, 1979 and reported the results thereof. On motion of Mayor Pro Tempore Katnich, Katzakian second, the City Council adopted the following resolution:

RESOLUTION NO. 79-97

DECLARING RESULTS OF ELECTION

WHEREAS, a Special Initiative Election was held and conducted in the City of Lodi on Tuesday, the 26th day of June, 1979, as required by law; and

WHEREAS, it appears from the report of the City Clerk and the records on file in her office that voting precincts were properly established and the polling places thereof designated; that election officers were appointed and qualified; that election supplies, including official ballots, were furnished each of said precincts; and that in all respects, said election was held and conducted and the votes received thereat were received and canvassed and the returns thereof made, determined and declared in time, form and manner as required by the laws of the State providing for and regulating elections in general law cities; and

ELECTION (Cont'd)

22 13

WHEREAS, in accordance with Resolution No. 79-58, the City Clerk conducted the canvass of the returns of said election; and

WHEREAS, the City Council of the City of Lodi, meeting at the Lodi City Council Chambers this 3rd day of July, 1979 to declare the results of election, finds, determines and declares as a result of said count and canvass as certified by the City Clerk;

(1) That said Special Initiative Election was held and conducted in the City of Lodi, California on the 26th day of June, 1979 in time, form and manner required by law;

(2) That there were eight voting precincts established in said City for the purpose of holding said election, viz:

VOTING PRECINCT 1, Comprising State and County Precinct Numbers L2401, L2402, L2412

VOTING PRECINCT 2, Comprising State and County Precinct Numbers L2403, L2404, L2405

VOTING PRECINCT 3, Comprising State and County Precinct Numbers L2406, L2407, L2409

VOTING PRECINCT 4, Comprising State and County Precinct Numbers L2408, L2410, L2411

VOTING PRECINCT 5, Comprising State and County Precinct Numbers L2413, L2415, L2418

VOTING PRECINCT 6, Comprising State and County Precinct Numbers L2414, L2416, L2417

VOTING PRECINCT 7, Comprising State and County Precinct Numbers L2419, L2420, L2421

VOTING PRECINCT 8, Comprising State and County Precinct Numbers L2422, L2423, L2424

(3) That the whole number of votes cast at said election was Two Thousand Nine Hundred Thirty-four (2,934).

(4) That the total number of votes cast for and against the measure

"THE PEOPLE OF THE CITY OF LODI DO ORDAIN AS FOLLOWS:

"Shall an Ordinance amending Section 27-9(b)2(i) 'Building Site Area Requirements' to read in full as follows:

(i) For the various residential types of buildings permitted the provisions shall be as follows:

a. For one family dwellings: a minimum of five thousand square feet and fifty feet in width for each main building and its accessory buildings.

b. For two family dwellings: a minimum of eight thousand square feet and eighty feet in width for each main building and its accessory buildings.

c. For multiple family and group dwellings: a minimum of four thousand square feet for each additional attached dwelling unit, with a minimum lot width of one hundred feet.

ELECTION (Cont'd)

CC 13

d. However, in areas that are adjacent to the Central Business District and surrounded by areas classified in the R-HD District, the provisions for dwellings shall be the same as the R-HD District, as provided in subsection (b) 1 and 2 of Section 27-8A.

"Section 27-9(c) 1 Subsection (c) 1, 'Minimum Yards' is hereby amended to read as follows:

1. For dwellings the provisions shall be the same as the R-1 Zone.

be adopted?"

was as follows:

<u>PRECINCTS</u>										
	1	2	3	4	5	6	7	8	Abs. Vote	TOTAL
Yes	198	171	262	328	342	275	367	428	75	2,446
No	49	59	50	84	48	64	52	56	26	488
Totals	247	230	312	412	390	339	419	484	101	2,934

RESOLVED, that the results of the Special Initiative Election held in the City of Lodi on June 26, 1979 show that a majority of the voters have voted in favor of the measure and pursuant to State of California Elections Code Section 4013, the Ordinance heretofore set forth shall be considered as adopted upon the date that the vote is declared by the legislative body, and shall go into effect 10 days after that date.

Upon the adoption of this Resolution, the City Clerk shall enter a full copy thereof on the records of the City Council of the City of Lodi for its meeting held this 3rd day of July 1979.

MOUNCE STREET
ABANDONMENT

RES. NO. 79-96

1. 52 (27)

Councilman Pinkerton asked to abstain from discussion and voting on the following matter and was excused by Mayor Katzakian.

The City Council was informed that Dan Anderson, owner of the property abutting the east end of Mounce Street, has requested by letter that the street be abandoned, or at least terminated in a cul de sac at its present extremity. Mr. Anderson has also provided the necessary funds for advertising. In order to abandon or terminate the street, it will be necessary to amend the circulation element of the General Plan and it will be necessary for the Planning Commission to determine that there is no existing or future need for the street.

Council was advised that the City staff has no major problem with the abandonment of Mounce Street due to the size of the parcels to the east and the industrial use; however, Staff cannot recommend terminating the existing street with a cul-de-sac in heavy industrial area.

Following Council discussion with questions being directed to Staff, Council, on motion of Mayor Pro Tempore Katnich, Hughes second, adopted Resolution No. 79-96 - Resolution of Intention to abandon Mounce Street, east of Cluff Avenue, referred the matter to the Planning Commission, and set

MOUNCE STREET
(Cont'd)

cc 50 (C)

the matter for Public Hearing on September 5, 1979. The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty, and Katzakian

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Pinkerton

REVISED P.G.&E.
EASEMENT COLONY
RANCH SUBDV.

cc 46

Mr. Terry Piazza, Baumbach and Piazza Civil Engineers, Lodi, addressed the Council stating that an agreement had been reached with P.G.&E. regarding the P.G.&E. easement located in Colony Ranch Subdivision. P.G.&E. has agreed to quitclaim the existing easement affecting the subdivision to Mr. Spivock who in turn will grant P.G.&E. a new 12-foot easement. The easement will specifically restrict the owners of Lots 88, 89 and 90 from constructing anything (including concrete slabs and fences) in the easement and the easement would automatically revert to the property owners when P.G.&E. abandoned the existing gas line.

Mr. Piazza further proposed that the Council approve the construction of wooden fence along the new easement line.

A lengthy discussion followed with questions being directed to Staff and to Mr. Piazza.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council approved the proposal as presented by Mr. Piazza, rescinded its previous order not to allow the issuance of building permits on Lots 88, 89 and 90 of this subdivision, and approved the construction of wooden fencing along the new easement line.

LATE ADDITION
REORGANIZATION &
DETACHMENT

ES. NO. 79-98

cc 3 (C)

The City Clerk presented a letter which had been received from LAFCO to which was attached a certified copy of that Commission's Resolution 429 approving the Slate Reorganization to the City of Lodi and Detachment from the Mokelumne Rural County Fire Protection District and authorizing the City of Lodi to conduct subsequent proceedings. This resolution authorizes the City Council to take proceedings for reorganization in accordance with Section 56290 et seq. of the Government Code of the State of California without notice and hearing and without an election in accordance with Section 56261 of the Government Code of the State of California.

A diagram of the subject area and background information were presented for Council's scrutiny.

Following Council discussion, on motion of Mayor Pro Tempore Katnich, Pinkerton second, Council adopted Resolution No. 79-98 - Resolution making determinations and ordering reorganization without election in the matter of the Slate Addition including annexation of the territory to the City of Lodi and detachment of said territory from the Mokelumne Rural County Fire Protection District.

EXTENSION OF
DIAL-A-RIDE
AGREEMENT WITH
CITY CAB CO.
APPROVED

RES. NO. 79-99

00 5000

01 1000

Council was informed that the City's Agreement with the City Cab Company for Dial-A-Ride expired June 30, 1979. Staff feels that the program is successful in terms of the number of people served and recommends that the City again contract with City Cab Company to continue this program for one year. The funding for continuation of this program is included in the City's 1979-80 Claims for Transportation Development Act Funds (SB 325) in the amount of \$42,250.

Council discussion followed with questions being directed to Staff.

On motion of Councilman Pinkerton, Katnich second, Council adopted Resolution No. 79-99 extending the City's agreement with the City Cab Company for Dial-A-Ride for one year commencing 7/1/79 and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City.

RATE INCREASE
AUTHORIZED FOR
CITY CAB COMPANY

RES. NO. 79-100

01 1000

At the City Council meeting of June 20, 1979, the City Clerk had presented a request for a rate increase that had been received from the City Cab Company. City Cab Company has requested that the rates for regular fares be increased from \$.90 flag drop and \$.90 per mile to \$1.00 flag drop and \$1.00 per mile.

Assistant City Manager Glenn apprised the Council that City Cab Co. indicated the reason for the request was rising costs of gas, oil and insurance. A profit and loss statement for January 1, 1979 to March 31, 1979 accomplished the request. It was Staff's recommendation that the rate increase be approved.

On motion of Councilman Hughes, Katnich second, Council adopted Resolution No. 79-100 authorizing the City Cab Company to increase its rates effective July 9, 1979 from \$.90 flag drop and \$.90 per mile to \$1.00 flag drop and \$1.00 per mile.

RES.. APPOINTING
RONALD M. STEIN
& FIXING HIS RATE
OF COMPENSATION

RES. NO. 79-101

00 5000

CLASSIFIED
PERSONNEL SALARY
INCREASES APPRVD.

RES. NO. 79-102

01 1000

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Pinkerton, Katnich second, adopted Resolution No. 79-101 appointing Ronald M. Stein as Assistant City Attorney of the City of Lodi from July 16 to August 1979 and on August 1, 1979 as full time City Attorney and fixing his rate of compensation.

Council was informed the Memoranda of Understanding with the City's employee groups call for adjustments to salaries of the City's classified employees. Information regarding this matter was presented by Assistant City Manager Glenn, who then responded to questions as were posed by the Council.

On motion of Councilman Pinkerton, Hughes second, Council adopted Resolution No. 79-102 approving salary increases for Classified Personnel as follows:

<u>Unit</u>	<u>Adjustment</u>	<u>Effective Date</u>
IBEW	2.5%	6/25/79
General Services	4.0%	7/9/79
Maintenance & Operators	7.0%	6/25/79

Minutes of July 3, 1979, continued

SALARY INCREASES
(Cont'd)

<u>Unit</u>	<u>Adjustment</u>	<u>Effective Date</u>
Police	7.0%	6/25/79
Fire	7.0%	6/25/79

AWARD-HOLLY
DRIVE STREET
LIGHT DISTRICT
CONTRACT

City Manager Graves presented the following bids which had been received for the Holly Drive Street Light District (Mills Avenue to Crescent Avenue):

RES. NO. 79-103

<u>BIDDER</u>	<u>AMOUNT</u>
Graffigna Electric	\$31,237.00
Collins Electric	\$42,222.00
M & M Electric	\$44,745.00
Steiny Electric	\$59,423.00

The City Manager advised the Council that the low bid was within 15% of the Engineer's estimate and recommended that the award be made to Graffigna Electric, the low bidder.

On motion of Mayor Pro Tempore Katnich, Hughes second, Council adopted Resolution No. 79-103 awarding the contract for the Holly Drive Street Light District (Mills Avenue to Crescent Avenue) to Graffigna Electric, the low bidder, in the amount of \$31,237.00.

RECESS

Mayor Katzakian declared a 5-minute recess and the Council reconvened at approximately 9:50 p.m.

1979-80 BUDGET
ADOPTED

The City Council continued its review of the proposed 1979-80 Budget.

ORD. NO. 1174

Following Council discussion, Council took the following actions pertaining to proposed amendments to the submitted 1979-80 Recommended City of Lodi Budget.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council rejected the proposed amendment to keeping the Finance Department windows open to the public an additional two hours per day at an estimated cost of \$2615.00.

On motion of Councilman Pinkerton, Katnich second, Council approved one additional police officer position to the budget for which it is not necessary to appropriate additional funds.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council approved the addition of 1 Maintenance Worker I - Public Works position to the budget at an additional cost of \$14,885.00.

On motion of Councilman Pinkerton, Hughes second, Council approved additional funds for a Water Conservation Officer at a cost of \$3,480.00

On motion of Councilman Pinkerton, Katnich second, Council authorized the purchase of two Walkie Talkies for the Park Patrol at a cost of \$1800.00 with the depreciation thereof set at \$275.00 to be funded from Revenue Sharing Funds.

BUDGET ADOPTED
(Cont'd)

On motion of Councilman Pinkerton, Hughes second, action was deferred on part time Wilderness area help at a total cost of \$4854.00.

On motion of Councilman Hughes, Katnich second, there was \$25,000.00 deducted from the fund provided for the operation of the Tokay Pool as this amount was duplicated in the Recommended Budget Submittal.

On motion of Mayor Pro Tempore Katnich, Katzakian second, an additional \$3500.00 was approved for the City Attorney's Budget for salary, automobile allowance and membership dues.

On motion of Councilman McCarty, Katnich second, Council deferred action on any changes to the Budget as it pertains to custodial care of City facilities to allow additional time for the Staff and City Council to study and review various alternates available.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council authorized an additional \$3500.00 for the reopening of the Lodi High Swimming Pool for recreational swimming.

Following additional discussion, Councilman Pinkerton moved introduction of Ordinance No. 1174 adopting an operating budget for the support of various departments of the City of Lodi and a Utility Outlay Budget for the Fiscal Year beginning July 1, 1979 and ending June 30, 1980 as follows:

Council/Clerk	\$ 85,425
Contingencies	300,000
General Charges	1,529,070
Pension	759,585
Debt Service	174,480
City Attorney	35,230
City Manager	140,290
Community Development	221,465
Finance	239,295
Police	1,276,320
Fire	935,705
Public Works	1,276,050
Recreation	323,445
Parks	479,955

TOTAL GENERAL FUND \$ 7,776,315

Electric Fund	8,108,000
Sewer Fund	1,051,820
Water Fund	365,800
Library Fund	362,635
Parking Fund	53,240

TOTAL OPERATING BUDGET
\$17,717,810

Utility Outlay Budget \$ 582,035

The motion was seconded by Mayor Pro Tempore Katnich and carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty, Pinkerton and Katzakian

Noes: Councilmen - None

Absent: Councilmen - None

APPOINTMENTS
TO VARIOUS CITY
BOARDS &
COMMISSIONS

On motion of Mayor Pro Tempore Katnich, Hughes second, Council concurred with the following appointments to various City Boards and Commissions made by Mayor Katzakian:

- a) Reappointed Dr. Milton M. Bergantz to the Library Board of Trustees for a three-year term commencing July 1, 1979.
- b) Appointed Leonard A. Humphreys to the Library Board of Trustees for a three-year term commencing July 1, 1979.
- c) Reappointed Esther F. Lund to the Personnel Board of Review for a 4-year term commencing July 1, 1979.
- d) Appointed J. Jeffrey Kirst to the Planning Commission for a 4-year term commencing July 1, 1979.
- e) Reappointed L. D. Tonn to the Planning Commission for a 4-year term commencing July 1, 1979.
- f) Appointed Harry L. Marzolf to the unexpired term of Planning Commissioner Fred Muther, which term expires June 30, 1981.
- g) Appointed Dan Anderson to the Recreation Commission for a 4-year term expiring 12/31/82.
- h) Reappointed David J. Reese to the Recreation Commission for a 4-year term expiring 12/31/82.
- i) Reappointed Dennis Swanson to the Recreation Commission for a 4-year term expiring 12/31/82.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned by Mayor Katzakian at approximately 10:15 p.m.

Attest:


ALICE M. REIMCHE
CITY CLERK